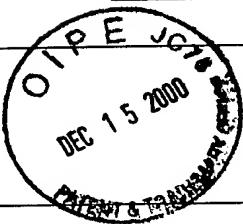


12-18-00

CPA/37368

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

KCS



Docket No. 597.0022USX

Anticipated Classification of this Application

Class: Subclass:

Prior Application: 09/082,557 filed May 21, 1998

Examiner: Carter, R. Art Unit: 3736

1-17-01

#12

Box CPA
 Commissioner of Patents and Trademarks
 Washington, D.C. 20231

Sir:

This is a request for filing a XX Continuation, or Divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of pending prior application, Serial No. 09/082,557 filed on May 21, 1998 by Daniel Becker and Michael Steve Kliceck for ELECTROSURGICAL GENERATOR POWER CONTROL CIRCUIT AND METHOD.

The above identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application (Note: Required for 37 CFR 1.53(d) requests).

This shall constitute a request to utilize the file jackets' contents of the prior application including the specification, drawings, and oath or declaration from the prior application to constitute the new application and to assign the new application the serial number of the prior application identified above for identification purposes.

Applicant(s): Becker et al.
 Application No.: 09/082,557
 Title: ELECTROSURGICAL GENERATOR POWER
 CONTROL CIRCUIT AND METHOD
 Correspondence Address: Charles N. J. Ruggiero, Esq.
 Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
 One Landmark Square, 10th Floor
 Stamford, Connecticut 06901-2682

*NOV 15 2000
 Ruggiero*

1. Enter the amendment previously filed on _____ under 37 CFR 1.116 but unentered, in the prior application.
2. XXX An Information Disclosure Statement w/references is enclosed.

12/20/2000 SLUANG1 00000044 010467 09082557

 01 FC:131
 02 FC:102
 03 FC:103

 710.00 OP
 160.00 OP
 4.00 CH 122.00 OP

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3. A petition for extension of time pursuant to 37 CFR 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$ 0.00 to extend the time for filing this response until _____.

4. The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE
				\$710.00
TOTAL CLAIMS	27 - 20 =	7	x \$18.00	\$126.00
INDEPENDENT CLAIMS	5 - 3 =	2	x \$78.00	\$156.00
MULTIPLE DEPENDENT CLAIM FEE			x \$260.00 =	\$0.00
TOTAL FILING FEE				\$992.00
1/2 FILING FEE FOR SMALL ENTITY				N/A

5. XXX A check in the amount of \$ 992.00 for the filing fee is enclosed.

6. XXX The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

7. XXX The inventors of this application are the XXX same as; _____ fewer than those in the prior application.

8. _____ Please delete _____ as inventor(s) in this application.

9. The power of attorney in the prior application is to: Charles N. J. Ruggiero

a. The power appears in the original papers in the prior application.

b. Address all future communications to **CHARLES N. J. RUGGIERO, ESQ.**

OHLANDT, GREELEY, RUGGIERO & PERLE, L.L.P.
ONE LANDMARK SQUARE, 10th FLOOR
STAMFORD, CONNECTICUT 06901-2682
Telephone: (203) 327 4500
Telefax: (203) 327 6401

10. XXX Priority of U.S. Application Serial No. 09/082,557 filed on May 21, 1998, which is a continuation of U.S. Application Serial No. 08/533,891 filed on September 26, 1995 and which issued as Patent No. 5,772,659, is claimed under 35 U.S.C. §120.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

December 15, 2000
(Date)



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Reg. No. 28,468
Telephone: (203) 327-4500
Telefax: (203) 327-6401

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EL671084994US**, service under 37 CFR §1.10 and is addressed to: Box CPA, Assistant Commissioner for Patents, Washington, D.C. 20231, on December 15, 2000.

David L. Barnes
(Typed name of person mailing paper)

12/15/00

(Signature of person mailing paper)